## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

Plaintiff,  vs.	UN	IITED STATES OF AMERICA	) ) )
A. Order For Detention After waiving a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on May 4, 2010, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).  B. Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds:  X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.  By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.  C. Finding Of Fact The Court's findings are based on the evidence which was presented in court and that which was contained in the Pretrial Services Report, and includes the following:  X (1) Nature and circumstances of the offense charged:  X (a) The crime: false statement to the Immigration and Customs Enforcement, Department of Homeland Security, in violation of 18 U.S.C. § 1001, carries a maximum sentence of five years imprisonment.  (b) The offense is a crime of violence.  (c) The offense involves a narcotic drug.  (d) The offense involves a large amount of controlled substances, to wit 2. The defendant appears to have a mental condition which may affect whether the defendant will appear.  X The defendant has no steady employment.  X The defendant has no steady employment.  X The defendant has no steady employment.  X The defendant has no substantial financial resources.  X The defendant has no substantial financial resources.  X The defendant is not a long time resident of the community ties.  Past conduct of the defendant:  The defendant has a history relating to drug abuse.  The defendant has a significant prior criminal record.		Plaintiff,	) 8:10M3109 )
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<ul> <li>X The defendant has a prior record of failure to appear at court proceedings.</li> <li>(b) At the time of the current arrest, the defendant was on:</li> </ul>	C.	The Court's findings are based on the evide which was contained in the Pretrial Service X (1) Nature and circumstances of the X (a) The crime: false state Enforcement, Department 18 U.S.C. § 1001, carrimprisonment.  (b) The offense is a crime of (c) The offense involves a naw (d) The offense involves a law (2) The weight of the evidence aga X (3) The history and characteristics (a) General Factors:  The defendant is X The Defen	es Report, and includes the following: e offense charged: ement to the Immigration and Customs at of Homeland Security, in violation of ries a maximum sentence of five years  violence. arcotic drug. rge amount of controlled substances, to wit: inst the defendant is high. of the defendant including:  appears to have a mental condition which her the defendant will appear. has no family ties in the area. has no substantial financial resources. Is not a long time resident of the community. does not have any significant community the defendant: has a history relating to drug abuse. has a history relating to drug abuse. has a significant prior criminal record. has a prior record of failure to appear at tys.

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		Parole
		Release pending trial, sentence, appeal or completion of
		sentence.
(c) Other Factors:		actors:
` ,	X	The defendant is an illegal alien and is subject to
		deportation.
		The defendant is a legal alien and will be subject to
		deportation if convicted.
	X	The Bureau of Immigration and Custom Enforcement
		(BICE) has placed a detainer with the U.S. Marshal.
		Other:

## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: May 5, 2010.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge